

Case No. 4264C4 #14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Livak et al.

Serial No.: 09/436,454

Filed: November 8, 1999

For: **HYBRIDIZATION ASSAY USING
SELF-QUENCHING FLUORESCENCE
PROBE**

Group: 1656

Examiner: J. Riley

Official
Off**CERTIFICATE OF FACSIMILE
TRANSMISSION**I hereby certify that this correspondence is being
facsimile transmitted to the USPTO, Examiner J.
Riley, Fax No. 703-305-7939, onJuly 27, 2000
Date of Transmission

Signature of Depositing Party

Name

**Petition Under 37 CFR 1.48(b)
to Remove Inventor**Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Applicants request amendment of the inventorship to delete one of the named inventors in this application.

2. The inventorship was correct at the time of filing, but as a result of cancellation of the original claims (1-40), it is believed that fewer than all of the originally named inventors are the actual inventors of the invention of the claims now pending (claims 41-76).

3. The person being deleted is:

Khairuzzaman Bashar Mullah

It is hereby acknowledged that the invention of the above inventor is no longer being claimed in the application.

4. Upon grant of this petition, the correct inventorship will be:

Kenneth J. Livak; Susan J.A. Flood; and Jeffrey Marmaro

Please amend all USPTO records to include the correct inventorship. In particular, the last name of the third inventor is **Marmaro, not Mamoro**.

5. **Fee Authorization**. The Commissioner is hereby authorized to charge the fee required under 37 CFR 1.17(i) [see 37 CFR 1.48(b)(2)] to **Deposit Account No. 01-2213**. Any deficiency or overpayment should be charged or credited to this deposit account.

Respectfully submitted,

Date: July 27, 2000

Vincent M. Powers

Vincent M. Powers
Reg. No. 36,246

PE Corporation
APPLIED BIOSYSTEMS DIVISION
850 Lincoln Centre Drive
Foster City, California 94404
Phone: (650) 638-6492
Fax: (650) 638-6677